

1 Scott A. Kronland (SBN 171693)
2 Stacey M. Leyton (SBN 203827)
3 Eileen B. Goldsmith (SBN 218029)
4 Danielle E. Leonard (SBN 218201)
5 Robin S. Tholin (SBN 344845)
6 James Baltzer (SBN 332232)
7 ALTSHULER BERZON LLP
8 177 Post Street, Suite 300
9 San Francisco, CA 94108
10 Tel. (415) 421-7151
Fax (415) 362-8064
skronland@altber.com
sleyton@altber.com
egoldsmith@altber.com
dleonard@altber.com
rtholin@altber.com
jbaltzer@altber.com

11 *Attorneys for Plaintiffs*

12 [Additional Counsel not listed]

13 UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION
16

17 AMERICAN FEDERATION OF
18 GOVERNMENT EMPLOYEES, AFL-CIO;
19 AMERICAN FEDERATION OF STATE
COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO; et al.,

20 Plaintiffs,

21 v.

22 UNITED STATES OFFICE OF PERSONNEL
23 MANAGEMENT, et al.,

24 Defendants.
25
26
27
28

Case No. 3:25-cv-01780-WHA

DECLARATION OF LEANDRA BAILEY

Declaration of Leandra Bailey No. 3:25-cv-01780-WHA

1 I, Leandra Bailey, declare the following under penalties of perjury:

2 1. I am over 18 years of age and competent to give this declaration. This declaration is
3 based on my personal knowledge, information, and belief.

4 2. I served as a Physical Science Information Specialist at the U.S. Department of
5 Agriculture ("USDA") Forest Service from March 24, 2024 until February 13, 2025, when I was
6 terminated. I was a probationary employee, and my probationary period was to end on March 25, 2025.


7 3. Throughout my service for the federal government, I received positive performance
8 reviews and positive feedback from my supervisors, with no negative remarks on my record. In
9 recognition of my performance, my supervisor had submitted the necessary paperwork for my
10 promotion to the next GS level. A true and correct copy of my most recent performance review, dated
11 September 30, 2024 is attached as Exhibit A.

12 4. On February 13, 2025, I received a memorandum from Deedra Fogel, the Director of
13 Human Resource Management at the USDA Forest Service, informing me that I was being removed
14 from my position. A true and correct copy of the memorandum I received is attached as Exhibit B.

15 5. Following my termination, my Department Head provided me with a physical copy of
16 a Forest Service briefing paper titled *Probationary and Trial Period Offboarding Procedures*. The
17 memorandum stated that, "All federal agencies, including the Department of Agriculture, were notified
18 on February 12, 2025, **by the Office of Personnel Management (OPM) to terminate all employees**
19 **who have not completed their probationary or trial period.**" A true and correct copy of the briefing
20 paper I received is attached as Exhibit C.

21 6. I am aware that another team member received the exact same termination
22 memorandum.

23
24 I declare under penalty of perjury under the laws of the United States that the foregoing is true
25 and correct. Executed this 7 day of March in Albuquerque, New Mexico.

26
27 

28 Leandra Bailey

EXHIBIT A

rive for excellence in the accomplishment of work assignments th

Goals and/or Initiatives that this

STANDARDS AND MEASUREMENTS
appropriate measures of quality, qu

onment

e employee's accomplishments for this element.)

employee's performance with the standards and assign an element rating

employee is accountable and responsible. .)

e a healthy working environment that fosters a positive atmosphere

level. Include appropriate measures of quality, quantity, cost-effectiveness

achieve the "Meets Fully Successful" rating for this element

d Safety element are provided for all employees. Supervisors can

	06/28/2024	Elec C for
	06/28/2024	Elec C for
	10/07/2024	Elec C for

Interim Rating

ts Fully Successful
t Meet Fully Successful

table

EXHIBIT B

5 U.S.C. § 2102

5 CFR § 212.101

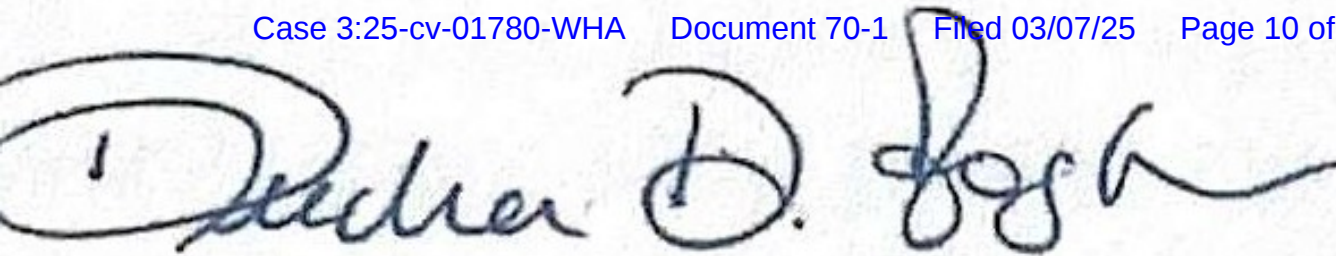
5 C.F.R. §§ 315.803, 315.804, and 315.806

Departmental Regulation 4020-250-1

notification that the Agency is removing you from federal service consistent with the above references.

The Agency appointed you to the position of Pay Administrator, Department Standard Form 50 (SF-50), your position. The agency also informed you of this requirement.

The Office of Personnel Management (“OPM”) states that the probationary period is over,” and the probationary period has ended. A probationer is still an applicant for a permanent position.

A handwritten signature in dark ink, reading "Deedra D. Fogle". The signature is fluid and cursive, with a large initial "D" and a stylized "F".

DEEDRA FOGLE

Director, Human Resource Management

EXHIBIT C

probationary or trial period. To ensure
iate due process, below are recommenda
s. Employees will be given written notic
sors with an orderly offboarding.

ints for Supervisor/Leader Discussions
es to separate Probationary employees st
t probationary employees are not eligible

on it is necessary to start providing notice
onary and trial period positions starting 2
fied as a Probationary employee impacte
cludes additional information about your

ffective on the date employees receive n
ng process is critical to successfully closi
klist is available at the link below.

urces through the Employee Assistance
months after separation

for-annual-leave/.

Computers, and Mobile Devices

oment, computers, and mobile device
ffice with your supervisor's name and
(EPP)

Employee Personal Page (EPP) web
wnload capability. Self-service option
ccess to personal information such as
health benefits, financial allotments,
ting, take note of your current EPP us
[sda.gov/EPPS/eplogin.aspx](https://www.usda.gov/EPPS/eplogin.aspx)

www.nfc.usda.gov/EPPS/eplogin.aspx
ersonal information. If you are unabl
ct HR Help for assistance.

o EPP after you separate, the system v

